3rd December 1954]

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Salt water is not entering just now and that is the engineering opinion. The engineers say that the earth there has already become saline and, therefore, they are taking a sample of it to the Research Laboratory and after testing it, will advise the ryots on the modern way of getting rid of this salt."

SRI V. R. KRISHNA AYYAR :—" I want to know whether the back-waters are making their way through this dam. Although it is called a dam, it hardly serves the useful purpose of preventing sea water, that is back-waters, from getting in. May I request the Hon. Minister not to accept the report of his engineers? The passing of water can be seen without engineering skill. Therefore, may I request the Hon. Minister to call for a report from the revenue or other officials?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" If the hon. Member wants to call for another report, I shall consider it but the technical information available to me indicates that it is not happening there."

SRI P. KUNHIRAMA KIDAV :—" Have the Government received any petition from the cultivators of that locality that the dam is not preventing the entry of salt water?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" I have not received any such petition. If the hon. Member makes any representation about it, he would be replied."

SRI C. H. KANARAN :—" Hon. Members from that place have repeatedly stated that salt water is entering the field, but the Hon. Minister says that salt water does not enter it. Will the Hon. Minister at least enquire into the matter properly and find out the real position?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" I have enquired into the matter and received that report. But if the hon. Member wants further investigation to be made, I shall certainly make another enquiry."

Abolition of the Magistrates' Courts in Malabar after the separation of the Judiciary from the Executive.

* 10 Q.—SRI K. P. GOPALAN : Will the Hon the Minister for Finance be pleased to state—

(a) whether any Magistrates' Courts were abolished after the separation of the Judiciary from the Executive in Malabar; and

(b) if so, why?

[3rd December 1954

THE HON. SRI C. SUBRAMANIAM :—" (a) & (b) Under the Scheme of Separation of the Judiciary from the Executive, full-time Judicial Officers are appointed as Magistrates relieving the full-time and part-time Magistrates of the Revenue Department of their work. The number of full-time Magistrates under the new set up would be less than the number of persons who were doing magisterial work in the revenue set up, i.e., Deputy Tahsildar and Stationary Sub-Magistrates. As a natural consequence of this, it happens that in the Headquarters of some of the Deputy Tahsildar-Magistrates, there will not be a corresponding Judicial Magistrate. The following are such places in Malabar district :—

Taliparamba.	Tirur.
Manantoddy.	Chowghat.
Quilandy.	Alathur."
Kunnamangalam.	

SRI M. NARAYANA KURUP :—" Sir, in answering another question touching the same subject previously, the Hon. Minister said that representations had been received about the hardship caused due to the abolition of some of the courts and that the Government would look into those representations. May I know whether, after those representations, the matter was enquired into by the Government? "

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir, all those representations which had been made had been looked into in consultation with Collectors, District Judges, the Bar Council and the High Court and it has been decided that the present location may be continued for a year and then the position reviewed."

DR. K. B. MENON :—" Have the Government shifted old courts to any new places since the change has been effected? "

THE HON. SRI C. SUBRAMANIAM :—" No, Sir, only old centres have been selected but some of the old centres do not have courts now."

SRI M. KALYANASUNDRAM :—" நீதி நிர்வாகத்தை தனியாகப் பிரித்ததினால் சப்-மாஜிஸ்ட்ரேட்டுகள் மட்டும் இருக்கிறார்கள், டிப்டி மாஜிஸ்ட்ரேட்டுகள் இருந்த இடங்களில் இப்போது சப்-மாஜிஸ்ட்ரேட்டுகள் இடையாது, அதனால் சில கோர்ட்டுகள் அகற்றப்பட்டு விட்டன என்று கனம் மந்திரி அவர்கள் சொன்னார்கள். அப்படி அகற்றப்பட்டிருக்கக்கூடிய பிரதேசங்களுக்கு சப்-மாஜிஸ்ட்ரேட்டுகள் மாதத்தில் சில தினங்களாவது அந்த இடங்களுக்குச் சென்று, கோர்ட் நடத்துவதற்கு சர்க்கார் ஆலோசனை செய்வார்களா என்று அறிய விரும்புகிறேன்."

3rd December 1954]

THE HON. SRI C. SUBRAMANIAM :—" Touring courts create more difficulties than stationary courts. The matter has been considered in all its aspects and, I am afraid, the suggestion of the hon. Member does not take into account the various aspects of the matter."

SRI P. K. GOPALAKRISHNAN :—" Sir, apart from the hardships caused to the public as a result of the abolition of certain Magistrates' Courts under the scheme of Separation of the Judiciary from the Executive adopted by the Government, the Government are incurring more expenditure by way of travelling allowance to Police Officers who have to travel a longer distance to attend the Magistrates' Courts. In view of this fact, may I know whether the Government will set up Magistrates' Courts at the places where they have been abolished? " 11-30 a.m.

THE HON. SRI C. SUBRAMANIAM :—" I am glad that the hon. Member is taking into consideration the financial aspect of the question also. This matter has been looked into, and it was only after taking that into consideration, the decision of the Government has been arrived at. The present arrangement is more advantageous from the financial point of view."

SRI V. R. KRISHNA AYYAR :—" Sir, in view of the hardships caused to the people living far far away from the places where the Judicial Magistrates' Courts are at present set up after the abolition of the old Revenue Magistrates' Courts, in view also of the aspect brought to the Hon. Minister's notice already, namely, that the Government have to spend by way of batta to Police officers and witnesses a fairly heavier sum than they were doing before and in view of other aspects brought to the notice of the Hon. Minister, may I know whether the Government will not treat the whole matter as closed but reconsider it both with regard to the courts which have been eliminated and with regard to the peripheric nature of the courts functioning? "

THE HON. SRI C. SUBRAMANIAM :—" The term 'far far away' is rather misleading, because Malabar, when compared to other areas, has got courts at short distances. As far as this question is concerned it is not a closed matter at all. We are prepared to review the matter any time and if the facts justify, we are prepared to change the allocation."

SRI V. BALAKRISHNAN :—" May I know whether the Government will consider the question of setting up mobile courts? "

THE HON. SRI C. SUBRAMANIAM :—" I have already explained that these mobile courts create greater inconvenience."

SRI K. P. GOPALAN :—" May I inform the Hon. Minister that the distance from Mananthodi to Kozhikode is more than

70 miles? The Hon. Minister was saying that in Malabar, there are courts at short distances. May I request the Hon. Minister to reconsider the whole matter? "

THE HON. SRI C. SUBRAMANIAM :—" If the distance is 70 miles as pointed out by the hon. Member, I shall certainly consider it."

SRI T. C. NARAYANAN NAMBIAR :—" The Hon. Minister for Finance said that he had already considered the financial aspect involved in the shifting of courts. The Magistrate's Court which was originally located at Taliparamba has been shifted to Cannanore at present and parties have to travel now 35 miles instead of 20 miles which they had to cover before. Will the Hon. Minister conduct an enquiry with regard to the correctness of my statement and carry out changes in the allocation of Magistrates' Courts accordingly? "

THE HON. SRI C. SUBRAMANIAM :—" The point is this. After the separation of the Judiciary from the Executive, we have got to have only a lesser number of courts so that there may be full work for each Magistrate appointed for a particular court. Therefore seven Magistrates' Courts have to be abolished. The only question is which Magistrate's Court should be abolished and where the new Court should be located. This has to be decided with reference to the work in each area and with reference to the facilities that are available at the place where the court has to be located. A decision has been taken that courts in these seven places (mentioned in the answer to the main question) may be abolished and the jurisdiction may be readjusted accordingly and that has been done. We can work this scheme for a year and then the whole position may be reviewed if there is any hardship."

Allotment of oil engines to agriculturists in Ponneri taluk.

* 11 Q.—SRI A. RATNAM : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the number of oil engines allotted to agriculturists in Ponneri taluk in the year 1952;

(b) the maximum and minimum period for which the oil engines were allotted; and

(c) the total amount of hire charges paid by the agriculturists during the period?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) Thirty-nine.

" (b) Maximum period—1 year and 10 months. Minimum period 1 month and 8 days.

" (c) Rupees 26,331."